



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

June 12, 2007

IN REPLY PLEASE

REFER TO FILE: **MP-5**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION
PORTIONS OF CALIFORNIA TRAIL
NORTH OF JOLLY TRAIL - TOPANGA
SUPERVISORIAL DISTRICT 3
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the vacation of portions of California Trail north of Jolly Trail, pursuant to the enclosed Resolution of Summary Vacation, is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Sections 15304, 15305, and 15321 of Title 14 of the California Code of Regulations (the State CEQA Guidelines).
2. Find that:
 - a. Pursuant to Section 8331(a) and (b) of the California Streets and Highways Code, portions of California Trail north of Jolly Trail (hereinafter referred to as the Easements), as described in the enclosed Resolution of Summary Vacation, have been impassable for vehicular travel for five consecutive years, and no monies were expended for their maintenance during such period.

- b. As required by Section 892 of the California Streets and Highways Code, the Easements are not useful as nonmotorized transportation facilities.
3. Adopt the enclosed Resolution of Summary Vacation, portions of California Trail north of Jolly Trail (Conditional), to vacate the Easements described in Exhibit A and depicted in Exhibit B of the Resolution.
4. Authorize the Director of Public Works to record a certified copy of the Resolution in the office of the Registrar-Recorder/County Clerk when the conditions contained in the Resolution have been satisfied.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Mr. Scott Adamson and Mr. Stephen Mahr, each being underlying fee owners, requested this vacation to remove from the record County interest and public easement rights within the proposed vacation areas. Mr. Adamson and Mr. Mahr each agree to merge their respective lots eliminating the need for the Easements, which are unimproved. Vacation of the Easements will provide additional buildable area.

The Easements were dedicated to the County in 1925 by Tract No. 8545 and in 1974 by deed but were never constructed or used as public roads because the existing topography makes the road impractical to build.

The vacation of the Easements will have no impact on traffic circulation and will not cut off access to adjacent properties or negatively impact the surrounding properties. No existing utility easements will be affected by the proposed vacation.

It is in the County's best interest to vacate the rights of way since they no longer serve the purpose for which they were dedicated and are not required for general public access, circulation, or as nonmotorized transportation facilities.

Implementation of Strategic Plan Goals

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the vacation of the Easements will result in added revenue through property taxes.

FISCAL IMPACT/FINANCING

Vacation of the Easements will not have a negative fiscal impact on the County's budget. The applicant has paid a \$1,000 fee to defray the expense of the investigation. The fee is authorized by your Board in a Resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321 (d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The areas to be vacated contain approximately 3,236 square feet and are shown on the map attached to the Resolution.

The Streets and Highways Code Section 8331 provides "The legislative body of a local agency may summarily vacate a street or highway if both of the following conditions exist: (a) for a period of five consecutive years, the street or highway has been impassable for vehicular travel and (b) No public money was expended for maintenance on the street or highway during such period."

The County's interest was acquired by dedication in Tract No. 8545, recorded in Book 108, pages 75, 76, and 77, of Maps, and by deed to T. Mc Dougal recorded on May 24, 1974, as Instrument No. 4762, of Official Records, both in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles as easements for road and highway purposes.

Adoption of the enclosed Resolution will terminate the County's right and interest in the Easements. Your action will also result in the property being unencumbered of the Easements, thereby allowing the underlying fee owners to exercise their reversionary rights over the vacated areas.

ENVIRONMENTAL DOCUMENTATION

Based on the foregoing, this proposed vacation is categorically exempt from CEQA as specified in Sections 15304, 15305, and 15321 of the State CEQA Guidelines.

The Honorable Board of Supervisors
June 12, 2007
Page 4

IMPACT ON CURRENT SERVICES (OR PROJECTS)

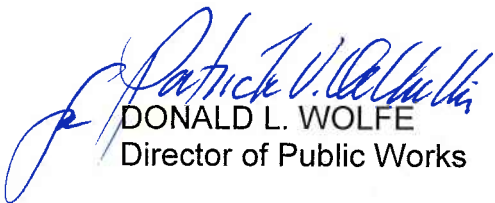
The Fire Department has determined that the proposed vacation will not affect their ability to respond to fire and medical emergencies and that no fire protection facilities will be affected by the proposed vacation. The Regional Planning Commission has determined that the proposed vacation is not in conflict with the County-adopted General Plan. The Departments of Parks and Recreation and Regional Planning have determined that the vacation areas are not suitable for bicycle paths and trails.

CONCLUSION

This action is in the County's best interest. Enclosed are two originals of the Resolution of Summary Vacation, approved as to form by County Counsel. Upon adoption of the Resolution, please return one executed original and a copy to us for further processing. We will record the Resolution and return the executed original to you when recorded. In the interim, please retain one executed original for your files.

Please return one adopted copy of this letter to Public Works.

Respectfully submitted,



DONALD L. WOLFE
Director of Public Works

JLS:mr:P5\blm0688114

Enc.

cc: Chief Administrative Office
County Counsel

**RESOLUTION OF SUMMARY VACATION
PORTIONS OF CALIFORNIA TRAIL NORTH OF JOLLY TRAIL
(CONDITIONAL)**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of easements for road and highway purposes (hereinafter referred to as the Easements) in, over, and across the real properties legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easements, north of Jolly Trail, are generally located in the vicinity of Topanga in the County of Los Angeles, State of California.
2. Mr. Scott Adamson and Mr. Stephen Mahr (hereafter referred to as the Fee Owners) are the underlying Fee Owners of the affected portions of Blocks 14, 16, and 18 of Tract No. 8545 and those portions of the Easements proposed to be vacated as depicted on Exhibit B.
3. The Easements have been impassable for vehicular travel for a period of five consecutive years and no public money has been expended for maintenance on the Easements during this period.
4. The vacation does not terminate any public service easement and no in-place public utility facilities that are in use are to be affected by the vacation of the Easements.
5. The Easements are not useful as nonmotorized transportation facilities as defined in Section 887 of the Streets and Highways Code.
6. The Easements are hereby vacated pursuant to Chapter 4, Part 3, Division 9 of the Streets and Highways Code, State of California, commencing with Section 8330, and subject to the conditions provided for in paragraph 7 below.
7. The vacation of the Easements is conditioned upon the Fee Owners executing an affidavit consolidating/merging those portions of Blocks 14, 16, and 18 of Tract No. 8545 being described by the Assessor's Index Number as Parcels 4441-034-036 and 4441-034-038 into one parcel, Parcels 4441-039-002 and 4441-039-011 into another parcel, and Parcels 4441-034-002, 4441-034-029, 4441-034-037, and 4441-034-039 into another parcel. These conditions must be met to the satisfaction of Public Works within one year of the date this Resolution is adopted by the Board of Supervisors or the vacation and abandonment of the Easements will terminate and become null and void.
8. Upon the satisfaction of the conditions specified in paragraph 7, above, Public Works be authorized to record a certified copy of this Resolution in the office of the Registrar-Recorder/County Clerk at which time the Easements shall no longer constitute public easements.

The foregoing Resolution was on the _____ day of _____, 2007, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By Julia C. Weisman
Deputy

By _____
Deputy

JLS:mr
P6\blm0688114

EXHIBIT A

CALIFORNIA TRAIL NORTH OF JOLLY TRAIL

A.I.N. 4441-034-004, 027,
029, 038, 039 and 4441-039-
002, 012, 013
T.G. 90-C2
I.M. 44-097
R.D. 36
S.D.
M0688114

LEGAL DESCRIPTION

(Vacation of easement)

Part 1

That portion of California Trail, 15 feet wide, as shown on map of Tract No. 8545, recorded in Book 108, pages 75, 76, and 77, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, within the following described boundaries:

Beginning at the northerly terminus of that certain course having a length of 150.92 feet in the generally westerly boundary of Lot 2, Block 18, of said tract; thence southerly along said certain course to the beginning of that certain 5-foot radius curve, concave northeasterly, in said generally westerly boundary; thence southerly, southeasterly and easterly along said certain 5-foot radius curve to a straight line which is tangent to said curve and which bears at right angles from that certain course having a length of 68.04 feet in the easterly boundary of Lot 1, Block 16, of said tract; thence westerly along said straight line to said last-mentioned certain course; thence northerly along said last-mentioned certain course and its northerly prolongation to the southerly terminus of that certain course having a length of 68.04 feet in the easterly boundary of Lot 1, Block 14, of said tract; thence northerly along said last-mentioned certain course to the beginning of that certain 15-foot radius curve, concave southwesterly, in said last-mentioned easterly boundary; thence northerly, northwesterly and westerly along said last-mentioned curve to the easterly terminus of that certain course having a length of 36.60 feet in the northerly boundary of said last-mentioned Lot 1; thence westerly along said last-mentioned certain course to a line parallel with and 12.5 feet easterly, measured at right angles, from that certain course having a length of 34.06 feet in said generally westerly boundary; thence northerly along said parallel line to a point in that certain 15-foot radius curve, concave to the northeast, in said generally westerly boundary, said point hereby designated as Point A for the purpose of this description; thence easterly along said last-mentioned curve to that certain course having a length of 31.24 feet in said generally westerly boundary; thence easterly along said last-mentioned certain course to the point of beginning.

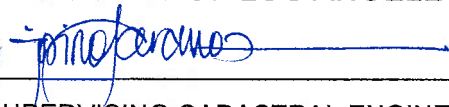
Containing: 2,673 ± square feet

Part 2

That portion of that certain parcel of land in Lot 2, Block 18, as shown on map of Tract No. 8545, recorded in Book 108, pages 75, 76, and 77, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, as described in deed to T. Mc Dougal, recorded on May 24, 1974, as Instrument No. 4762, of Official Records, in the office of said Registrar-Recorder/County Clerk of said County, lying easterly of a line parallel with and 12.5 feet easterly, measured at right angles, from that certain course having a length of 34.06 feet in above-mentioned generally westerly boundary, and more particularly described as follows:

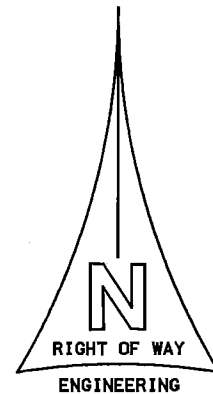
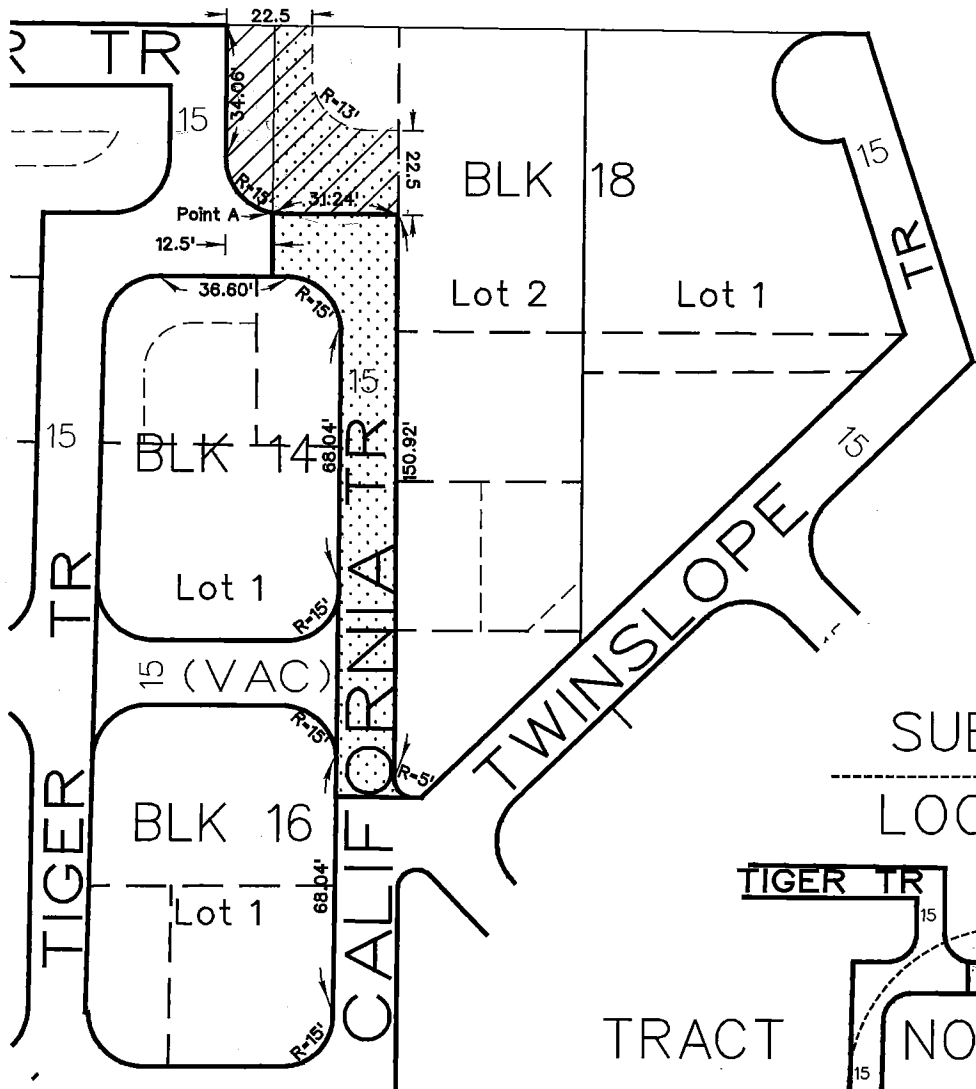
Beginning at the above-designated Point A; thence northerly along above-described parallel line to the northerly line of said Lot 2; thence easterly along said northerly line to a line parallel with and 22.5 feet easterly, measured at right angles, from said last-mentioned certain course having a length of 34.06 feet; thence southerly along said last-mentioned parallel line to the beginning of a curve concave to the northeast, having a radius of 13 feet, tangent to said last-mentioned parallel line and tangent to a line parallel with and 22.5 feet northerly, measured at right angles, from that certain course having a bearing and distance of North 89° 59' West 31.24 feet in the southerly boundary of said certain parcel of land; thence southeasterly along said curve to said last-mentioned parallel line; thence easterly along said last-mentioned parallel line to the easterly line of above-mentioned certain parcel of land; thence southerly along said easterly line to the southerly line of said certain parcel of land; thence westerly along said southerly line to the point of beginning.

Containing: 563 ± square feet

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| APPROVED AS TO DESCRIPTION | |
| May 16, 2007 | |
| COUNTY OF LOS ANGELES | |
| By |  |
| SUPERVISING CADASTRAL ENGINEER III Mapping and Property Management Division | |

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.

NS:adg
P5\ld CA Trail



SUBJECT
LOCATION

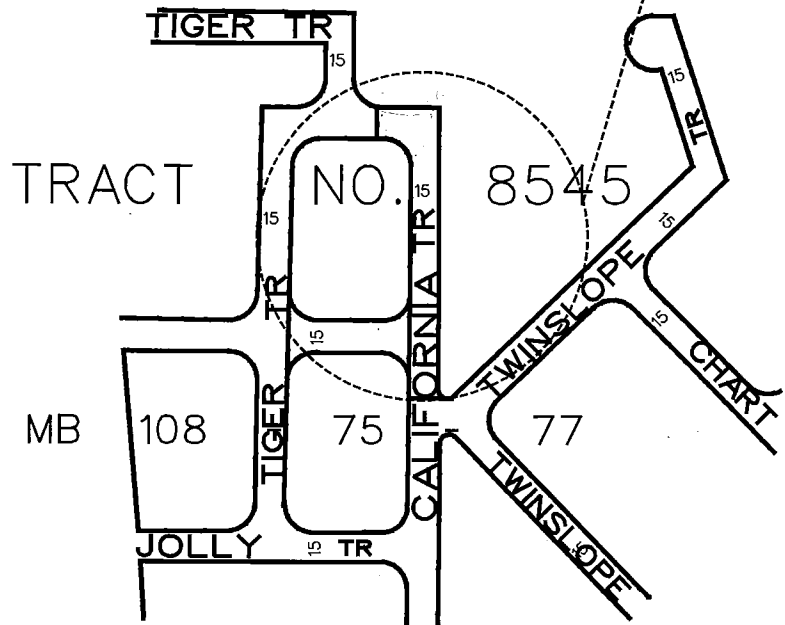

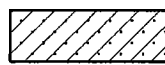
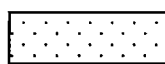


EXHIBIT B

LEGEND

-  EXISTING STREET RESERVATION
-  STREET RESERVATION TO BE VACATED
AREA = 563 ± s.f.
-  AREA TO BE VACATED
AREA = 2,673 ± s.f.

TOTAL VACATION AREA - 3,236 ± S.F.

REVISIONS

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| 1. | 2. | 3. |
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DEPARTMENT OF PUBLIC WORKS

MAPPING & PROPERTY MANAGEMENT DIVISION

| | | | | | |
|---------------|------------|--------------------------|-----------------|-------------------------------------|-------------------------|
| SD. 3 | RD. 336 | A.I.N. 4441-034 & 039 | T.G. 590-C2 | CALIFORNIA TRAIL N/O JOLLY TRAIL | DRAWING NO. M0688114 |
| SCALE NONE | | DATE 12-22-05 | I.M. 144-097 | | |